

Serial No.: 10/564,892  
Docket No.: 101-1681T  
Amendment dated March 15, 2010  
Reply to the Office Action of December 14, 2009

## **REMARKS**

### **Introduction**

Applicant notes with appreciation the Examiner's indication that claims 9 and 13-16 are allowed.

Upon entry of the foregoing amendment, claims 1-16 are pending in the application. Claims 1, 2, and 4-6 have been amended. Support for the amendments to the claims may be found, for example, in Applicant's claim 9 and paragraphs [0028]-[0030]. No new matter is being presented. In view of the following remarks, reconsideration and allowance of all the pending claims are requested.

### **Rejection under 35 USC §103**

Claims 1-8 and 10-12 have been rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2003/0013057 to Aoe in view of US Patent No. 7,012,861 to Hong and further in view of US Patent No. 5,712,835 to Akiyama. However, Aoe, Hong, and Akiyama fail to disclose or suggest every limitation of Applicant's claims 1-8 and 10-12 as presently recited.

#### **Independent claims 1, 4, and 6**

The Examiner admits that none of the cited references discloses or suggests "judging whether a position of the optical pickup is within a predetermined range relative to a center of the track at a time of a track jump command," as recited in Applicant's allowed claim 9. Claim 1 has been amended to recite "a servo... to generate a track jump start control signal if it is judged that the current position of the pickup at the time of the track jump command is within a reference range."

Claim 4 is amended to recite "generating a track jump start control signal if it is judged that the position of the pickup at the time of the track jump command is within a reference range." Similarly, claim 6 is amended to recite "if the controller determines that the tracking

Serial No.: 10/564,892  
Docket No.: 101-1681T  
Amendment dated March 15, 2010  
Reply to the Office Action of December 14, 2009

control signal indicates that the current position of the optical pickup is within a predetermined range of a center of the track when a track jump command is received by the controller, the controller immediately outputs a track jump start control signal to the driver to move the optical pickup directly to a target track of the optical disc start the track jumping."

Since the Examiner admits that none of the references suggests judging whether a position of the optical pickup is within a predetermined range relative to a center of the track at a time of a track jump command, Aoe, Hong, and Akiyama are inadequate grounds for rejecting claims 1, 4, and 6 under 35 U.S.C. § 103(a). Claims 2, 3, 5, 7, 8, and 10-12 depend from claims 1, 4, and 6, respectively, and are likewise allowable over the cited references. Applicant respectfully asks that the Examiner reconsider and withdraw the rejection.

### **Conclusion**

It is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, there being no other objections or rejections, this application is in condition for allowance, and a notice to this effect is earnestly solicited.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

If any further fees are required in connection with the filing of this amendment, please charge the same to our Deposit Account No. 502827.

Respectfully submitted,  
STANZIONE & KIM, LLP

Dated: March 15, 2010  
919 18<sup>th</sup> St., NW, Suite 440  
Washington, DC 20006  
Telephone: (202) 775-1900  
Facsimile: (202) 775-1901

By: /Adam C. Ellsworth/  
Adam C. Ellsworth  
Registration No. 55,152